IN THE HIGH COURT OF KERALA AT ERNAKULAM

PRESENT :

THE HONOURABLE MR. JUSTICE K.M.JOSEPH

MONDAY, THE 13TH AUGUST 2007 / 22ND SRAVANA 1929

WP(C).No. 24494 of 2007(N)

PETITIONER:

JAMES LUKA, AGED 44 YESRS,
KERALA STATE ROAD TRANSPORT CORPORATION,
DRIVER (EMPANEL), KASARAGOD DEPOT,
KASARAGOD,.

BY ADV. SRI.K.SHRIHARI RAO
SMT.N.SHOBHA
SRI.B.R.MURALEEDHARAN
SRI.C.P.KUNJHIKANNAN

RESPONDENTS:
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1. STATE OF KERALA REPRESENTED BY ITS SECRETARY,TRANSPORT DEPARTMENT,SECRETARIAT, TRIVANDRUM.

2. THE KERALA PUBLIC SERVICE COMMISSION, REPRESENTED BY ITS SECRETARY, PATTOM, TRIVANDRUM.

3. THE KERALA STATE ROAD TRANSPORT CORPORATION REPRESENTED BY ITS MANAGING DIRECTOR, TRANSPORT BHAVAN, TRIVANDRUM.

4. THE DISTRICT TRANSPORT OFFICER, KERALA STATE ROAD TRANSPORT CORPORATION, KASARAGOD DEPOT, KASARAGOD.

R1 BY SR. GOVERNMENT PLEADER (SHRI K. J. MOHAMMED ANZAR)

R2 BY ADV. SHRI P.C. SASIDHARAN, SC, KPSC.

R3 & R4 BY ADV. SHRI JOHNSON P. JOHN, SC, KSRTC.

THIS WRIT PETITION (CIVIL) HAVING COME UP FOR ADMISSION ON 13/08/2007, THE COURT ON THE SAME DAY DELIVERED THE FOLLOWING:

K. M. JOSEPH, J.

W.P.C. NO. 24494 OF 2007 N

Dated this the 13th August, 2007

JUDGMENT

Petitioner has approached this Court feeling aggrieved by the measurement of his height at 1.56 metres. According to the Norms, the height should be 1.58 metres. According to petitioner, he has entered service through Employment Exchange as Driver on 1.7.1997 and continued till July, 2000. Thereafter, he was relieved from duty and again he entered in the service as Empanelled Driver in July, 2004 and is continuing in that post. Pursuant to Ext.P1 call letter, petitioner appeared for the written test and he passed the written test and thereafter, he was called for technical test vide ext.P2. He was called for physical test wherein it was found that there is a shortage of 2 Centimetres and it was found that the petitioner is physically unfit for the post. According to petitioner, measurement was not taken in the proper way. He filed Ext.P3. He submits that a decision may be taken on Ext.P3. I heard the learned counsel

appearing on behalf of the Public Service Commission also. The Writ Petition is disposed of directing the second respondent to consider Ext.P3 and take a decision thereon strictly in accordance with law, within a period of one month from the date of production of a copy of this Judgment.

K. M. JOSEPH, JUDGE

kbk.